

RQ-2



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20543

November 24, 2004

Sarah M. Gregg, Treasurer  
Baxter Healthcare Corporation Political Action  
Committee - BAXPAC  
1501 K Street NW  
Washington, DC 20005

**Response Due Date:**  
**December 27, 2004**

Identification Number: C00117838

Reference: October Monthly Report (09/01/04-09/31/04)

Dear Ms. Gregg:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule B of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(a) prohibits a multicandidate committee and its affiliates from making a contribution to a candidate for federal office in excess of \$5,000 per election.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

If any contribution you made exceeds the limits, you must request a refund of the excessive amount or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund of the excessive amount.

BAXTER HEALTHCARE CORPORATION POLITICAL ACTION COMMITTEE-BAXPAC  
PAGE 2

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

Although the Commission may take further legal action regarding the excessive contribution(s), your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

-Schedule B supporting Line 23 of your report discloses one or more contributions to a candidate(s) for the 2004 Primary election; however, the funds were disbursed after the election date(s) (see attached). Please note that contributions may not be designated for an election which has already occurred unless the funds are to be used to reduce a candidate committee's debts incurred during that election campaign.

If any apparently impermissible contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If the contribution(s) in question should have been designated for debt retirement, you should amend your report to indicate "debt retirement," along with the year of election.

If you have made an impermissible contribution, you must request a refund or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

Although the Commission may take further legal action regarding this impermissible activity, your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

BAXTER HEALTHCARE CORPORATION POLITICAL ACTION COMMITTEE-BAXPAC  
PAGE 3

-The totals listed on Lines 7, 23, 31 and 32, Column B of the Summary and Detailed Summary Page(s) appear to be incorrect. Please be advised that you should add the "Calendar Year-to-Date" total from your previous report to the current "Total This Period" figure from Column A to derive the correct Column B totals. Please amend your report and any subsequent reports that may be affected by this correction.

-Your calculations for Line 8 appear to be incorrect. Cash-on-hand at the close of the current reporting period should always equal the closing calendar year-to-date cash-on-hand amount. Please provide the corrected total on the Summary Page.

-Please amend Schedule B supporting Line 23 by providing the office sought, state, and congressional district, if applicable, for each contribution made. 11 CFR §104.3(b)(3)(ii) and (v)

Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1139.

Sincerely,



Karen E. Trainer  
Campaign Finance Analyst  
Reports Analysis Division

**BAXTER HEALTHCARE CORPORATION POLITICAL ACTION COMMITTEE-BAXPAC**  
**PAGE 4**

**Excessive Contribution to a Committee/Candidate**

Recipient Name	Date	Amount	Election	Report
Crane for Congress	04/28/03	\$1,000.00	P2003	2003 May Monthly
Crane for Congress	04/20/04	\$2,000.00	P2004	2004 May Monthly
Crane for Congress	09/07/04	\$2,500.00	P2004	2004 October Monthly
Crane for Congress	09/20/04	\$600.00	P2004	2004 October Monthly

**Contribution After an Election Date**

Recipient Name	Date	Amount	Election	Election State - Date
Burgess for Congress	09/14/04	\$1,000.00	P2004	Texas-03/09/04
Crane for Congress Committee	09/07/04	\$2,500.00	P2004	Illinois-03/16/04
Crane for Congress Committee	09/20/04	\$600.00	P2004	Illinois-03/16/04
Friends of Chris Dodd	09/20/04	\$1,500.00	P2004	Connecticut-08/10/04
Gallegly for Congress	09/20/04	\$1,000.00	P2004	California-03/02/04
Gregg, Judd	09/28/04	\$1,000.00	P2004	New Hampshire-09/14/04
Friends for Bobby Jindal	09/20/04	\$1,000.00	P2004	Louisiana-08/06/04
Friends of Blanche Lincoln	09/20/04	\$1,000.00	P2004	Arkansas-05/18/04
Obama, Barack	09/20/04	\$1,000.00	P2004	Illinois-03/16/04
Whitfield for Congress	09/07/04	\$1,000.00	P2004	Kentucky-05/18/04

